THE HON'BLE SRI JUSTICE BILAL NAZKI

WRIT PETITION No. 27554 of 1995

Date: 05-09-2006.

Between :

T.B.Ch. Sastry & others.

.....Petitioners

And

The A.P. State Electricity Board, rep. by its Member Secretary & another.

.....Respondents.

THE HON'BLE SRI JUSTICE BILAL NAZKI

WRIT PETITION No. 27554 of 1995

ORDER : (Per Hon'ble Sri Justice Bilal Nazki)

Heard learned counsel for the parties.

The impugned orders directing repayment of excess amounts allegedly paid to the petitioners are challenged in this writ petition. The learned counsel for petitioners relies on a judgment of this Court, which has not been however, produced. The learned counsel for petitioners also submitted that in pursuance of the judgment of the High Court dated 06.11.1992, some orders were also passed giving effect to that judgment. Those orders have also not been shown. The impugned order merely state that the Rectification of Anamoly in 1974 scales ordered are cancelled as they were erroneous as per the amendment issued in Board's Memo dated 07.10.1995. Therefore, the petitioners were directed to pay back the excess amounts, failing which the amounts would be recovered from their

salaries.

When the writ petition was entertained by this Court, this Court granted stay of recovery. Since the impugned orders, suggesting recovery if payment is not made, have been passed without giving a notice to the petitioners and without hearing them, the orders are quashed. However, if the respondents want to pursue with the deductions and recovery, they shall do so only after giving a notice to the petitioners and hearing them.

With these observations, the impugned orders are quashed, and the writ petition is disposed of.

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(BILAL NAZKI, J)

5th September 2006

ajr